

**TOWN COUNCIL
REGULAR MEETING
OCTOBER 15, 1997**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:05 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Santini and Councilmembers Bush, Cox and Kiar. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. PRESENTATIONS

3.1 Kevin Montaldi, Maintenance Technician II - Ten Years

Mayor Venis presented Mr. Montaldi with a service award.

3.2 Ronald King, Fire Lieutenant - Twenty Years

Mayor Venis presented Fire Lieutenant King with a service award.

3.3 David Mazarino, Driver Engineer - Twenty Years

Driver Engineer Mazarino was not present.

3.4 Michael Donati, Fire Chief - Twenty Five Years

Mayor Venis presented Chief Donati with a service award.

3.5 Community Redevelopment Agency

Neal Kalis, Chairman, updated Council on the Agency's efforts.

3.6 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent

Bonnie Stafiej, Special Projects Coordinator, announced that upcoming events included: Safe Halloween Trick or Treat Night (October 25th); 5 Star Rodeo (October 24th - 25th); Keep Davie Beautiful Day - Ivanhoe area (November 1st) and November Country Craft Show (November 15th - 16th).

Sharon Pierce-Kent, Director of Community Services, announced that upcoming events included: in-house soccer program registration (deadline November 1st); and registration for roller hockey.

Ms. Pierce-Kent introduced Jan Vandersluis, Bridge Instructor, who stated that he was targeting the Town's senior citizen population to play bridge.

Pete Spagnuolo, Facility Manager, introduced "Hippy the Seahorse" as the Pine Island Community Center's aquatics mascot. He explained that "Hippy the Seahorse" would be utilized to promote pool safety.

Councilmember Kiar indicated that Bob Hoth had previously indicated that the American Red Cross provided free swimming lessons for children. Mr. Spagnuolo advised that the Town contracted with Swim America who provided free swimming lessons throughout the summer. He recommended that the Town provide a basic cardio pulmonary resuscitation class for parents which would tie in with pool safety.

4. OCCUPATIONAL LICENSES

Home Occupational Licenses

4.1 Free Spirit Enterprises, Inc., 14551 SW 21 Street

William Scharf, the applicant, was present. He confirmed that the request was for mail and phone use only.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

4.2 J.M.G. Drywall, Inc., 2141 SW 113 Avenue

Pauline Gagne, the applicant, was present. She confirmed that the request was for mail and phone use only.

Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote

was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

4.3 Jan Bower & Wiren, Inc., 3511 SW 117 Avenue

The applicant was not present and the application was deferred.

4.4 Simonton Plumbing, Inc., 1975 SW 116 Avenue

Keith Simonton, the applicant, was present. He confirmed that the request was for mail and phone use only.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Carnival - Waiver of Occupational License Fee

4.5 St. Bernadette's Church, 7450 Stirling Road (November 6 - 9, 1997)

Frances Wollschlager, representing the applicant, was present.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

4.6 St. Bonaventure Church, 1301 SW 136 Avenue (November 13 - 16, 1997)

Mayor Venis advised that he was representing the applicant.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.5 needed to be tabled to November 5, 1997.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to table. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.6 needed to be tabled to November 19, 1997.

Councilmember Bush made a motion, seconded by Councilmember Cox, to table. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis announced that item 8.7 needed to be tabled to March 18, 1998.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to table. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis announced that items 8.8 and 8.9 had been withdrawn by staff.

5. MAYOR/COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

REPRESENTATION. Councilmember Bush stated that he had represented the Town at Nova Southeastern Medical Center and had presented a proclamation for Physician's Assistant Week which was approved at the previous Council meeting.

VICE-MAYOR SANTINI

FLORIDA MARLINS. Vice-Mayor Santini congratulated the Florida Marlins.

CONDOLENCES. Vice-Mayor Santini offered her condolences to Sergeant Greg Gasse in the passing of his wife. She commended the Police Department for supporting each other.

HUMANITARIAN OF THE YEAR. Vice-Mayor Santini stated that Cooper City Mayor SueEllen Fardelman was being honored as EASE's Humanitarian of the Year.

COUNCILMEMBER COX

Councilmember Cox stated that she had nothing to report.

COUNCILMEMBER KIAR

FLORIDA MARLINS. Councilmember Kiar congratulated the Florida Marlins and South Florida.

BIRTHDAYS. Councilmember Kiar wished his son and his grandchildren a happy birthday.

CONGRATULATIONS. Councilmember Kiar congratulated Ron Bergeron and Karen Cook for being selected as the South Broward Democratic Club's Man and Woman of the Year.

EMERGENCY OPERATION CENTER GRANT. Councilmember Kiar stated that the Town had applied for a grant proposal for an Emergency Operation Center. He added that the Town was asking for \$50,000 to establish the Center which would include state-of-the-art equipment. He thanked Mr. Flatley and Police Chief Jack Mackie for pursuing the grant.

MAYOR VENIS

TRAFFIC LIGHT. Mayor Venis asked for an update on the traffic light at Reese Road with Assistant Town Administrator Robert Rawls advising that the final design documents had been approved by Broward County. He stated that he should be receiving a response from the Department of Transportation by the end of next week. Mayor Venis asked if a temporary flashing light could be provided. Mr. Rawls responded that the State of Florida was not in favor of this request, however, he could reaffirm this discussion when he met with District Secretary Rick Chessor.

IMPROVEMENTS. Vice-Mayor Santini advised that Mr. Rawls had been able to arrange the reconstruction of turning lanes to alleviate traffic at University Drive and 30th Street. Councilmember Kiar asked if a traffic signal was being looked at for SW 8th Street and Flamingo Road with Mr. Rawls responding that the County had agreed to provide a follow-up study when the seasonal traffic began.

SUNNYLAKES. Mayor Venis stated that there was one area in the Sunnyslakes area where the easement was torn up and the residents wanted the area restored.

INTERSECTION IMPROVEMENTS. Mayor Venis advised of the improvements to be provided at the intersection of 30th Street and University Drive and indicated that the improvements would be completed by March 1998.

STREET NUMBERS PROGRAM. Mayor Venis stated that the Town was joining with the Fraternal Order of Police Association in providing street numbers on homes.

FUND RAISER. Mayor Venis stated that he participated in a fund raiser golf tournament to benefit the University Schools. David Brown advised that Mayor Venis' team took first place.

QUESTIONNAIRE. David Brown, Chair of Davie Water Advisory Board, asked the Town's residents to complete the questionnaire regarding water/sewer services that would be in the next Davie Update.

6. TOWN ADMINISTRATOR'S REPORT

ARTICLE. Mr. Flatley congratulated Lycia Neff of the Miami Herald on an article she had written relating to the Town's Emergency Medical Services. He indicated that the article was very thorough and presented both sides of the issue unlike that of the Sun Sentinel article.

MEETINGS. Mr. Flatley stated that Council was holding a special meeting on October 29th at 5:30 p.m to review the police/fire/EMS facility site plan. He added that a large joint agency meeting was scheduled for November 4th at 5:30.

ANNEXATIONS. Mr. Flatley advised that four annexation bills would be filed on Friday to annex Park City, Park City West, Rexmere Village and Kings Manor. He explained that the residents of these areas would be saving money as the County had raised the unincorporated taxes by 28% and the fire/emergency rescue fee had also increased.

Councilmember Cox asked if streetlights were a usual type fixture with Mr. Flatley responding that these were County approved lighting fixtures. Vice-Mayor Santini asked when the Town would receive revenues from these areas. Mr. Flatley replied that the annexations would not take effect until October 1, 1998.

7. CONSENT AGENDA

Minutes

7.1 August 20, 1997 - Regular Meeting

7.2 September 3, 1997 - Regular Meeting

7.3 September 10, 1997 - Special Meeting

Proclamations

7.4 Silver Oaks, 2nd Annual Community Celebration Day, November 1, 1997

7.5 National School Lunch Week, October 11 - 15, 1997

7.6 Pioneer Days, October 18 - 19, 1997

7.7 Florida City Government Week, October 19 - 25, 1997

7.8 World Population Awareness Week, October 26 - November 1, 1997

7.9 National Arts and Humanities Month, October 1997

7.10 National Epilepsy Awareness Month, November 1997

7.11 Cholesterol and Blood Pressure Screenings

Resolutions

7.12 **MUTUAL AID AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-339 FLORIDA, APPROVING THE LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE; AND PROVIDING AN EFFECTIVE DATE.

7.13 **POLICE ACADEMY** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-340 AUTHORIZING TWO EMPLOYEES IN THE TOWN OF DAVIE POLICE DEPARTMENT TO ATTEND THE CRIMINAL JUSTICE INSTITUTES 186TH POLICE ACADEMY. (\$2,750 in direct costs)

7.14 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-341 APPROVING THE SPECIAL MASTER'S RECOMMENDATION FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 96-569 FROM \$9,000 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Ryder Consumer Truck Rental and Arrel Enterprises, Inc.)

7.15 **RECERTIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-342 REQUESTING THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE TOWN OF DAVIE FUTURE LAND USE ELEMENT AND FUTURE LAND USE PLAN MAP; PROVIDING FOR AN EFFECTIVE DATE.

7.16 **RESTRICTIVE NOTE REVISION** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-343 FLORIDA, AUTHORIZING A REVISION TO THE "595 INDUSTRIAL PLAT"; PROVIDING FOR A REVISION TO THE RESTRICTIVE NOTE TO CHANGE INDUSTRIAL USE TO FUNERAL HOME USE AND PROVIDING AN EFFECTIVE DATE. (DG 9-3-97, 6500 State Road 84)

7.17 **RESTRICTIVE NOTE REVISION** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-344 FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE CHRISTIAN FELLOWSHIP CHURCH PLAT AND PROVIDING AN EFFECTIVE DATE. (DG 9-4-97, 1380 Flamingo Road)

7.18 **WAIVING FORMAL BIDDING** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-345 FLORIDA, WAIVING FORMAL BIDDING AND AUTHORIZING THE MAYOR TO HAVE THE COMMUNITY SERVICES DEPARTMENT TRAIN AND PROVIDE THE OFFICIALS FOR THE YOUTH SPORTS PROGRAMS. (estimated cost - \$24,000)

7.19 **RODEO RENTAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

R-97-346 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE/COOPER CITY CHAMBER OF COMMERCE AND THE TOWN OF DAVIE. (November 21 - 22, 1997; waiver of fees)

7.20 VEHICLE MAINTENANCE RANKINGS - A RESOLUTION OF THE TOWN OF R-97-347 DAVIE, FLORIDA, APPROVING THE RANKINGS FOR VEHICLE MAINTENANCE SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT WITH THE HIGHEST RANKING FIRM. (Ryder/MLS)

7.21 ANNEXATION PROPOSAL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-348 FLORIDA, SETTING FORTH DAVIE'S INTENT TO SUBMIT A PROPOSAL FOR ANNEXATION OF "SUNSHINE RANCHES" PURSUANT TO CHAPTER 97-371, LAWS OF FLORIDA (H.B. 1907) OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

7.22 ANNEXATION PROPOSAL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-349 FLORIDA, SETTING FORTH DAVIE'S INTENT TO SUBMIT A PROPOSAL FOR ANNEXATION OF "SOUTHWEST RANCHES" PURSUANT TO CHAPTER 97-371, LAWS OF FLORIDA (H.B. 1907) OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

7.23 CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-350 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH RECREATIONAL DESIGN AND CONSTRUCTION, INC. TO DESIGN/BUILD THE MAINTENANCE/STORAGE BUILDING AT PINE ISLAND PARK.

7.24 CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-351 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH RECREATIONAL DESIGN AND CONSTRUCTION, INC. TO DESIGN/BUILD THE ADDITION TO SHENANDOAH PARK PHASE II.

7.25 JOINT AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-352 AUTHORIZING THE MAYOR TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR STREETSCAPING IMPROVEMENTS ALONG DAVIE ROAD IN CONJUNCTION WITH STATE PROJECT NUMBER 86015-3506 (W.P.I. NO. 4110571), ALONG GRIFFIN ROAD/STATE ROAD 818, FROM 100 AVENUE TO STATE ROAD 7.

7.26 HIGH SCHOOL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-353 REQUESTING THE BROWARD COUNTY SCHOOL BOARD TO PROVIDE AN ADDITIONAL HIGH SCHOOL IN THE TOWN OF DAVIE.

7.27 EASEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-354 ACCEPTING EASEMENTS FROM PROFESSIONAL LASER CENTER, INC. FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

7.28 EASEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-355 ACCEPTING EASEMENTS FROM OXFORD CAPITAL CORPORATION FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

7.29 LOCAL ANNEXATION BILL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-356 FLORIDA, SUPPORTING AND URGING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO BE SUBMITTED BY THE TOWN OF DAVIE FOR THE ANNEXATION OF PROPERTY KNOWN AS KINGS MANOR; AND PROVIDING AN EFFECTIVE DATE.

7.30 LOCAL ANNEXATION BILL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-357 FLORIDA, SUPPORTING AND URGING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO BE SUBMITTED BY THE TOWN OF DAVIE FOR THE ANNEXATION OF PROPERTY KNOWN AS PARK CITY; AND PROVIDING AN EFFECTIVE DATE.

7.31 LOCAL ANNEXATION BILL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-358 FLORIDA, SUPPORTING AND URGING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO BE SUBMITTED BY THE TOWN OF DAVIE FOR THE ANNEXATION OF PROPERTY KNOWN AS PARK CITY WEST; AND PROVIDING AN EFFECTIVE DATE.

7.32 LOCAL ANNEXATION BILL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-359 FLORIDA, SUPPORTING AND URGING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO BE SUBMITTED BY THE TOWN OF DAVIE FOR THE ANNEXATION OF PROPERTY KNOWN AS REXMERE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

7.33 LOCAL BILL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-360 SUPPORTING AND URGING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO BE SUBMITTED BY THE TOWN OF DAVIE FOR EXEMPTION OF UTILITY CUSTOMERS LOCATED IN BROWARD COUNTY FROM THE SURCHARGE ADDED TO WATER OR SEWER UTILITY RATES, FEES AND CHARGES PURSUANT TO SECTION 180.191 OF THE FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Ordinances - First Reading (public hearing to be held on November 5, 1997)

7.34 REVISING CONCEPTUAL MASTER PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 6-3-97 AMENDING ORDINANCE 97-3 BY CHANGING SECTION 1. b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (6650 Stirling Road)

7.35 REVISING CONCEPTUAL MASTER PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 7-1-97 AMENDING ORDINANCE 87-56 BY CHANGING SECTION 1. b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (1205 Nob Hill Road)

Councilmember Kiar asked that items 7.24, 7.26, and 7.30 be removed from the Consent Agenda.

Councilmember Cox asked that item 7.17 be removed.

Town Clerk Reinfeld read the ordinances-first reading by title only. Mayor Venis advised that a public hearing on items 7.34, 7.35 would be held on November 5, 1997.

Councilmember Bush made a motion, seconded by Councilmember Cox, to approve the Consent Agenda with items 7.17, 7.24, 7.26 and 7.30. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.17 Councilmember Cox stated that there was a restrictive note on the plat, however, this resolution doubled the size of the structure. She thought that feedback from the individuals who were initially involved in the rezoning was needed and indicated that she had concerns with the size of the structure. Michele Mellgren, Director of Development Services, explained that at the time of the rezoning, the applicant indicated that they did not anticipate having more than 100 automobiles. She added that at 8,800 square feet, it would constitute approximately 5% coverage of the site. Gayle Easterling, Planning and Zoning Manager, discussed the traffic trips and parking. Robert Legg, representing the applicant, stated that the applicant was looking at maintaining the sanctuary and

using some ancillary uses in the same building. Discussion followed.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.24 Mr. Rawls explained the improvements that would be made with the second phase of the Shenandoah Park project with a brief discussion following. Vice-Mayor Santini asked Council to look at a way to leave the parks open at night.

Councilmember Kiar made a motion, seconded by Mayor Venis who passed the gavel, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.26 Vice-Mayor Santini advised that the City of Weston was also passing a resolution requesting a high school and she felt that there was a stronger chance for a school if both municipalities made a request.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.30 Councilmember Kiar advised that he needed to abstain from voting as he was the attorney for the homeowners.

Councilmember Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - abstain. (Motion carried 4-0)

8. PUBLIC HEARINGS

Mayor Venis opened the public hearing portion of the meeting.

Ordinances - Second and Final Reading

8.1 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-58 CORRECTING ORDINANCE NO. 97-37 CONCERNING ARTICLE VIII OF THE TOWN CODE ENTITLED "SIGNS, LIGHTING"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.2 ORDINANCE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, 97-59 FLORIDA, AMENDING ORDINANCE NO. 87-70 AS AMENDED BY ORDINANCE NO. 86-17 BY AMENDING SECTION 2 (d) OF ORDINANCE NO. 87-70 CORRECTING AND CLARIFYING ALLOWABLE USES ON THE ENTRANCE TRACT FOR THE FOREST RIDGE DEVELOPMENT PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Walter Collins, representing Forest Ridge, advised that if this ordinance was approved, he was withdrawing item 9.1.

Mayor Venis closed the public hearing.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.3 ORDINANCE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, 97-60 FLORIDA, AMENDING ORDINANCE NO. 97-049 WHICH WAS AN ORDINANCE VACATING PROPERTY WITHIN THE WEST PARK - HOTEL PARCEL PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 6-1-97, generally located west of 136th avenue at State Road 84/I-595)

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.4 SEWER PRETREATMENT - AN ORDINANCE OF THE TOWN OF DAVIE, 97-61 FLORIDA, CREATING UNIFORM REQUIREMENTS FOR USERS OF THE PUBLICLY OWNED TREATMENT WORKS SO AS TO COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS; PROVIDING FOR GENERAL PROVISIONS, GENERAL SEWER USE REQUIREMENTS, PRETREATMENT OF WASTEWATER, WASTEWATER DISCHARGE PERMIT APPLICATION, WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS, REPORT REQUIREMENTS, COMPLIANCE MONITORING, CONFIDENTIAL INFORMATION, PUBLICATION OF USERS AND SIGNIFICANT NON-COMPLIANCE, ADMINISTRATIVE ENFORCEMENT REMEDIES, JUDICIAL ENFORCEMENT REMEDIES, SUPPLEMENTAL ENFORCEMENT ACTION, AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS, WASTEWATER TREATMENT RATES, MISCELLANEOUS PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Cox asked if the ordinance satisfied the letter in the backup. Utilities Director Dan Colabella replied affirmatively.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.5 STAFF REQUESTING A TABLING TO NOVEMBER 5, 1997

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM AG TO CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 6-2-97, Moses/Stevani, Inc., corner of Flamingo Road and SW 26 Street) (tabled from October 2, 1997)

This item was tabled earlier in the meeting.

8.6 STAFF REQUESTING A TABLING TO NOVEMBER 19, 1997

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM R-2 TO B-1; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 5-3-97, Fee/Sublime, Inc., 5900 SW 70 Avenue) (tabled from September 17, 1997)

This item was tabled earlier in the meeting.

8.7 PLANNING AND ZONING BOARD TABLED TO FEBRUARY 25, 1998; COUNCIL CAN TABLE TO MARCH 18, 1998

LAND USE PLAN AMENDMENT - LA BC 98-1B, Laystrom/Chelsea Lynn, Inc., southwest corner of State Road 84 and SW 121 Avenue (from R-5 to Industrial)

This item was tabled earlier in the meeting.

8.8 WITHDRAWN BY STAFF

VARIANCE - V 5-1-97, Zeus Properties, Inc., 4371 SW 55 Avenue (tabled from September 17, 1997)

This item was withdrawn earlier in the meeting.

8.9 WITHDRAWN BY STAFF

VARIANCE - V 8-1-97, VFW Post 9697, Inc., 5780 Griffin Road (B-2)

This item was withdrawn earlier in the meeting.

Public Hearing Items

8.10 **LAND USE PLAN AMENDMENT** - LABC 98-1C, Town of Davie/Various Owners, generally described as those areas annexed into the Town of Davie since 1988 (to amend the future Land Use Plan map to show the five annexations since 1989) *Planning and Zoning Division approved; Local Planning Agency approved* Ms. Mellgren explained the amendment.

Mayor Venis asked if anyone wished to speak for or against the amendment. As no one spoke, the public hearing was closed.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Quasi Judicial Items

8.11 **REZONING** - ZB 6-3-97, Kerr/Pie Realty Investments, Inc., 6650 Stirling Road (from B-3 to B-3, amending the Conceptual Master Plan) (tabled from September 17, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report*

Mr. Webber stated that items 8.11 through 8.19 were quasi judicial items and explained the rules concerning the admission of evidence. He asked if anyone wished to speak in opposition to the rezoning [item 8.11] with no one responding. Town Clerk Reinfeld swore in the witnesses who would be speaking in favor of the rezoning. Ms. Mellgren offered the planning report into evidence and summarized the request.

Cynthia Berchinger, representing the petitioner, concurred with the staff report. She indicated that Exhibit B had been included in the planning report which showed architectural features to the facade of the building which she explained.

Mr. Webber asked if anyone wished to provide testimony in favor of the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.12 **REZONING** - ZB 7-1-97, Amoco Oil Company, 1205 Nob Hill Road (from B-3 to B-3 amending the Master Plan) (tabled from September 17, 1997) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

Mr. Webber asked if anyone wished to speak in opposition to the rezoning with no one responding. Town Clerk Reinfeld swore in the witnesses who would be speaking in favor of the rezoning. Gayle Easterling, Planning and Zoning Manager, summarized the request and offered the planning report into evidence.

Dick Coker, representing the petitioner, concurred with the planning report and explained the rezoning.

Mr. Webber asked if anyone wished to provide testimony in regard to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.16 Mr. Webber asked if anyone wished to speak in opposition to the variance with no one responding. Ms.

Easterling summarized the request and offered the planning report into evidence.

Dick Coker, representing the petitioner, explained that the variance request related to the dimensional aspects of the property.

Mr. Webber asked if anyone wished to provide testimony in favor of the variance. No one spoke.

Mr. Webber stated that the hearing was concluded.

Councilmember Cox indicated that the parcel on the west side would be affected and explained her concerns.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.13 REZONING - ZB 8-1-97, VFW Post 9697, Inc., 5780 Griffin Road (from B-2 to B-3) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report*

Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, a planning report, an aerial, a conceptual master plan and a proposed use restrictions.

Robert Prata, representing the petitioner, explained the rezoning. Mr. Webber asked Mr. Prata if he understood that this application did not allow "chickee" huts. Mr. Prata replied affirmatively.

Mr. Webber asked if anyone wished to provide testimony in favor of the rezoning. No one spoke.

Mr. Webber asked if anyone wished to provide testimony in opposition to the rezoning.

Debra Claussen, representing the County Homes Homeowners Association, asked for a clarification on fencing, landscaping, and berming with an explanation being provided by Ms. Mellgren. Ms. Claussen asked if there was a plan to install a signal light at 58th Avenue and Griffin Road as the area was being developed. Councilmember Cox indicated that the design plan would have be reviewed. Ms. Claussen clarified that restrictions applied to future owners unless an application was made. Mr. Webber replied affirmatively.

Mr. Webber stated that the hearing was concluded.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.14 REZONING - ZB 8-2-97, Miami Primitive Baptist Church, Inc./Cela Ssor Co., 4450 SW 93 Avenue (from A-1 to CF) *Planning and Zoning Division denied; Planning and Zoning Board denied*

Town Clerk Reinfeld swore in the witnesses. Mr. Webber asked if the petitioner was in attendance with no response being given.

Mayor Venis recommended that this item be tabled to November 5, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to table item 8.14 to November 5, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Ms. Mellgren advised that the petitioner's representative had mentioned that they had thought about withdrawing this item but the Town had not received anything in writing. She suggested that the residents call the Planning and Zoning Division on November 5th to determine if the petition had been formally withdrawn.

10.3 Councilmember Cox made a motion, seconded by Councilmember Kiar, to table item 10.3 [to November 5, 1997]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.15 VARIANCE - V 7-3-97, Fee and CDI Engineering & Planning/Roth (New River Groves), 5660 Griffin Road (B-2 & A-1) (to reduce the required lot size from 52,500 square feet to 27,366 square feet; to reduce the required lot depth from 200 feet to 96.53 feet along the west property line and 73.68 feet along the east property line; to reduce the minimum setback from 25 feet to 8 feet from the public right-of-way; to reduce the minimum open space ratio from 30 percent to 9.75 percent; to reduce the minimum landscape buffer area from 10 feet to 0 feet and to eliminate the 8 foot masonry wall; to reduce the minimum landscape buffer area from 10 feet to 4.7 feet along the east property limits and to 0 feet along the west property limits; to reduce the minimum street landscape

buffer from 20 feet to 12 feet adjacent to the new parking area and to 0 feet adjacent to the existing building; to eliminate the required continuous landscape berm adjacent to Griffin Road; to reduce the required landscape island width from 10 feet to 6.99 feet on the north side of the parking lot and 0 feet on the south side of the parking lot; to reduce the required separation between parking stalls or aisles from any building or property line from 5 feet to 0 feet; to reduce the required number of parking spaces from 38 to 20 spaces; to increase the allowable window and wall openings signs from 10 percent to 37.6 percent; to reduce the required set back for a sign from 15 feet to 2 feet) *Planning and Zoning Division recommendations located in the planning report; Planning and Zoning Board accepting the Town's recommendations*

Town Clerk Reinfeld swore in one witness. Ms. Mellgren read the planning report for request #1.

Dan Fee, representing the petitioner, advised that since the report had been written, the taking by the Department of Transportation (DOT) had occurred. Mr. Webber asked if DOT concurred with the requests. Mr. Fee responded that the requests were a result of DOT's proposed minimum cure site plan with discussion following.

Mr. Webber asked if anyone wished to provide testimony on the variance. No one spoke.

Vice-Mayor Santini made a motion, seconded by Mayor Venis who passed the gavel, to deny the first request [to reduce the required lot size from 52,500 square feet to 27,366 square feet]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #2

Ms. Mellgren read the planning report for request #2.

Mr. Webber asked if anyone wished to provide testimony on any of the variance requests. No one spoke.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to deny the second request [to reduce the required lot depth from 200 feet to 96.53 feet along the west property line and 73.68 feet along the east property line]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #3

Ms. Mellgren read the planning report for request #3.

Mr. Fee indicated that this request had the biggest impact on the facility and the continued operation of the business. He stated that should Council deny this request, the petitioner would have to tear the building down and he would then be required to proceed through a very lengthy planning process. Mr. Fee advised that he would like to return at a future point and ask for temporary relief.

Ms. Mellgren advised that some of the processes could run concurrently, however, the longest part of the process would be to get the plat through Broward County. She suggested that a special permit be looked at at a later date given the unique special circumstances. Ms. Mellgren added that Mr. Fee had indicated that he would be willing to apply for a special permit to continue to operate if Council would waive the one year filing requirement. After a brief discussion, Councilmember Cox clarified that if Council was okay with the canvass canopy, denying request #3 was not a problem. Ms. Mellgren replied affirmatively and added that the outdoor display request would be heard shortly and Mr. Fee had indicated that he would be okay from a vested rights standpoint. She stated that if Council was to make a motion concerning the reduction of the setback from 25 to 8 feet, the motion should acknowledge that Council would waive the one year requirement to hear a special permit.

Mayor Venis asked for a motion of the requirements as stated by Ms. Mellgren. Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to deny the third request [to reduce the minimum setback from 25 feet to 8 feet from the public right-of-way]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #4

Ms. Mellgren read the planning report for request #4.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to deny the fourth request [to reduce the minimum open space ratio from 30 percent to 9.75 percent]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini

- yes. (Motion carried 5-0)

Request #5

Ms. Mellgren read the planning report for request #5.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve the fifth request [to reduce the minimum landscape buffer area from 10 feet to 0 feet and to eliminate the 8 foot masonry wall]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Requests #6, #7, #8, #9, #10 and #11

Ms. Mellgren read the planning report for requests #6, #7, #8, #9, #10 and #11.

Mr. Fee asked that Council treat the east and west buffer lines be considered as separate issues. Discussion followed with Ms. Mellgren recommending that the remaining requests be denied as the requests were appropriate for discussion at a later date.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to deny requests numbered 6, 7, 8, 9, 10, and 11. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #12

Ms. Mellgren read the planning report for request #12.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve the request [to increase the allowable window and wall openings signs from 10 percent to 37.6 percent]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #13

Ms. Mellgren read the planning report for request #13.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to deny the request [to reduce the required set back for a sign from 15 feet to 2 feet]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.19 Ms. Mellgren read the planning report for request #1.

Councilmember Cox stated that the historical aspect of the facility needed to be considered. Councilmember Kiar added that this facility was a tradition that the Town needed to help maintain.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve the request [to permit an outdoor display area for the sale of fruits and vegetables and to permit the relocation of outdoor freezers, coolers on the site]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #2

Ms. Mellgren read the planning report for request #2. Discussion followed on the father's unit which

Councilmember Cox indicated was a watchman's unit. Mr. Fee indicated that the petitioner could live with the stipulation that if the facility was rebuilt, it would not be rebuilt more than what was currently in existence.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve the request [to maintain an existing dwelling unit in the B-2 zoning district] as long as the square foot remained as it was today. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Request #3

Ms. Mellgren read the planning report for request #3. Mr. Fee explained the request.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve staff's recommendation [to

apply signage regulations of the A-1 zoning district]. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.16 VARIANCE - V 7-6-97, Amoco Oil Company, 1205 Nob Hill Road (B-3) (to reduce the required lot size from 43,560 square feet to 42,744 square feet; to reduce the minimum lot depth from 250 feet to 155 feet; to reduce the required rear setback from 25 feet to 10 feet; to reduce the minimum separation between motor fuel pumps from 25 feet to 22 feet; to reduce the required separation between driveways and property lines from 20 feet to 5.6 feet) *Planning and Zoning Division approved; Planning and Zoning Board approved all five variances subject to the planning report*

This item was approved earlier in the meeting.

8.17 VARIANCE - V 8-2-97, Pool Builders, Inc./Valentine, 10151 SW 16 Place (PRD 3.6) (to reduce the minimum setback for an accessory structure from 5 feet to 2.5 feet) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Town Clerk Reinfeld swore in the witnesses. Ms. Easterling summarized the request.

Kevin Ford, representing the petitioner, agreed with the staff's report. Lori Valentine, the petitioner, agreed with what had previously been stated.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.18 VARIANCE - V 8-4-97, Chambliss Ltd., 3151 South University Drive (B-3) (to increase the size of changeable copy gasoline pricing sign from 15 feet to 31.1 square feet) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the voluntary reduction mentioned in the planning report*

Town Clerk Reinfeld swore in the witnesses. Ms. Easterling summarized the request.

An unidentified man, representing the petitioner, was present and indicated that he had nothing to add. Discussion followed on the landscaping and changeable sign.

Councilmember Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.19 SPECIAL PERMIT - SE 7-1-97, Fee and CDI Engineering & Planning/Roth (New River Groves), 5660 Griffin Road (B-2) (to permit an outdoor display area for the sale of fruits and vegetables; to permit the relocation of outdoor freezers, coolers on the site; to maintain an existing dwelling unit in the B-2 zoning district; to apply signage regulations of the A-1 zoning district) *Planning and Zoning Division recommendations located in the planning report; Planning and Zoning Board approved*

This item was approved earlier in the meeting.

Mayor Venis closed the public hearing portion of the meeting.

9. SITE PLANS

9.1 SP 8-9-97, Forest Ridge Single Family VII, 3000 Ridge Trace (PRD 3.6 & E) (tabled from October 2, 1997) *Planning and Zoning Division approved the proposed landscape entry feature and denial of the proposed "false" guardhouse within the public right-of-way; Site Plan Committee approved the landscaping subject to providing fifteen caliper inches of Town approved trees south of the lake on parcel C and ensuring that the two oak trees on the northwest side of the entry wall be maintained properly giving consideration to equestrian traffic in that area; recommendation to approve "false" guardhouse failed due to a tie vote*

This item was withdrawn earlier in the meeting.

9.2 SP 4-3-97, Stirling Road Apartments, south side of Stirling Road at approximately 1,100 feet west of Davie Road Extension (RM-16) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report and adjusting the height of the Queen palms from 14 feet to 18*

to 24 feet adjacent to any three-story building

Francisco Rojo, representing the petitioner, was present. Ms. Easterling read the planning report and indicated that the plans had been revised to reflect the Site Plan Committee's recommendations. Mr. Rojo displayed the roofing material with discussion following.

Vice-Mayor Santini indicated that the proposal looked like the "projects" as there was no landscaping and was only concrete. She indicated that she wished this item would be tabled and returned to the Site Plan Committee for further review.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

10. ORDINANCES - FIRST READING

(Public Hearing expected to be held Summer 1998)

10.1 LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LABC 98-1C, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP BOUNDARIES TO DEPICT LANDS ANNEXED INTO THE TOWN; ASSIGNING TOWN OF DAVIE LAND USE PLAN DESIGNATIONS TO THE ANNEXED LANDS CONSISTENT WITH THEIR BROWARD COUNTY LAND USE PLAN DESIGNATIONS PRIOR TO ANNEXATION; TRANSMITTING THE AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing would be held sometime in the summer of 1998.

Councilmember Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

(Public Hearing to be held November 5, 1997)

10.2 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 8-1-97 CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 8-1-97, VFW Post 9697, Inc., 5780 Griffin Road)

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing would be held November 5, 1997.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

10.3 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 8-2-97 CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 8-2-97, Miami Primitive Baptist Church, Inc./Cela Ssor Co., 4450 SW 93 Avenue)

This item was tabled earlier in the meeting.

11. DISCUSSION AND POSSIBLE ACTION

11.1 Public Road/Private Road Issues

Ms. Mellgren explained the benefits and drawbacks to internal roads being public roads. After some discussion, Councilmember Cox suggested that this matter be referred to Mr. Webber to determine the Town's options.

ORDINANCE. Mayor Venis indicated that an ordinance was being added to the agenda as item 10.4 with Mr. Webber explaining the ordinance. Mr. Webber indicated that the public hearing on the ordinance would be held on November 5, 1997.

Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to add item 10.4. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

10.4 VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING THE INTERNAL ROADWAYS SHOWN WITHIN THE LAUREL OAKS NORTH PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title only. Mayor Venis advised that a public hearing on item 10.4 would be held on November 5, 1997.

Councilmember Cox questioned the procedure should Council deny this ordinance at the November 5th meeting. Mr. Webber responded that the Town was under a mandate of a Court order.

Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis indicated that an annexation proposal needed to be added to the agenda as item 11.2.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to add item 11.2. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

11.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE R-97-361 SPECIAL ACTS PROVIDING FOR THE ANNEXATION OF THE COQUINA FLATS PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO INTO THE MUNICIPAL LIMITS OF THE TOWN OF DAVIE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Flatley advised that this annexation was to be a special act to be placed before the delegation by the property owner. He indicated that this resolution was in support of the property owner.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to add item 10.4. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

12. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:15 p.m.

